

REMARKS

The Applicant respectfully requests reconsideration in view of the following remarks and the above amendments. Claims 1-5, 7-13, 15-28, and 30 have been amended. Claim 31 has been added. No claims have been cancelled. Accordingly, claims 1-31 remain pending in the application.

I. Examiner Interview Summary

A telephone interview with Examiner Shaq Taha was conducted on February 19, 2009 in which the Applicant's representatives, Dimitri Kirmis and Jonathan S. Miller, presented proposed amendments to independent claims 1, 7, 15, 21, and 25 and new claim 31. The Applicant's representatives and the Examiner discussed whether the proposed amendments and new claim overcome the 35 U.S.C. § 103(a) rejections in the outstanding Office Action.

Examiner Taha acknowledged in the Interview, that the proposed amendments to claims 1, 7, 15, 21 and 25 and newly presented claim 31 are not disclosed in the cited prior art. Examiner Taha noted that the proposed amendments and new claim would require further search and consideration before making an official determination of the status of the pending claims. Further, the Examiner stated that after reviewing the Application and reconsidering the prior art, he might be able to recommend amendments to the independent claims. Thus, an agreement was reached that amending claims 1, 7, 15, 21, and 25 and new claim 31 would overcome the cited prior art. Accordingly, the Applicant has submitted herein the set of amendments proposed for the Interview.

II. Claims Rejected Under 35 U.S.C. § 103

In the outstanding Office Action, claims 1-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0146056 by Martin et al. (hereinafter "Martin") in view of U.S. Patent No. 7,114,170 issued to Harris et al. (hereinafter "Harris").

In regard to claim 1, this claim has been amended to recite "maintaining a list of services, the list of services includes processes and tasks performed by the Java-based server nodes; and maintaining a list of services, the list of services includes processes and tasks performed by the non-Java-based server nodes" (emphasis added). These proposed amendments are supported, for example, by paragraph [0020] of the Specification. In the Interview held on February 19, 2009,

the Examiner acknowledged that claim 1 as currently amended is not obvious based on the combination of Martin and Harris. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1 for being unpatentable over the combination of Martin and Harris.

In regard to claim 7, this claim has been amended to recite “an enqueue server coupled between the Java-based server nodes and the non-Java based server nodes to provide central locking services to lock access to resources in the system for use during communications between the first Java-based server node and the first non-Java based server node such that communications between the first Java-based server node and the first non-Java based server node are not interrupted.” These proposed amendments are supported, for example, by paragraph [0018] of the Specification. In the Interview held on February 19, 2009, the Examiner acknowledged that claim 7 as currently amended is not obvious based on the combination of Martin and Harris. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 7 for being unpatentable over the combination of Martin and Harris.

In regard to claim 15, this claim has been amended to recite “a controller to transfer packets between the non-Java-based server nodes and the Java-based server nodes, the controller to ensure the packets are received by a destination server node by resending the packets if a confirmation of receipt has not been received from the destination server node” (emphasis added). These proposed amendments are supported, for example, by paragraph [0030] of the Specification. In the Interview held on February 19, 2009, the Examiner acknowledged that claim 15 as currently amended is not obvious based on the combination of Martin and Harris. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 15 for being unpatentable over the combination of Martin and Harris.

Claim 21 includes elements analogous to those of claim 15. For at least the reasons discussed above in regard to the 35 U.S.C. § 103(a) rejection of claim 15, the combination of Martin and Harris does not disclose these elements of claim 21. Thus, the combination of Martin and Harris does not teach or suggest each element of claim 21. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of this claim.

In regard to claim 25, this claim has been amended to recite “means for maintaining a list of services, the list of services includes processes and tasks performed by the first Java-based

server node, wherein maintaining the list of service identifications and the service names assists in providing communications between the first non-Java-based server node and the first Java-based server node; and means for sending notification of a status of each of the listed services to the first Java-based server node, the notification indicates whether the service is running or stopped such that the maintained list of services can be updated.” These proposed amendments are supported, for example, by paragraph [0022] of the Specification. In the Interview held on February 19, 2009, the Examiner acknowledged that claim 25 as currently amended is not obvious based on the combination of Martin and Harris. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 25 for being unpatentable over the combination of Martin and Harris.

Claims 2-6, 8-14, 16-20, and 26-30 depend from independent claims 1, 7, 15, 21, and 25, respectively, and incorporate the limitations thereof. Thus, at least for the reasons discussed above in regard to the independent claims, the combination of Martin and Harris does not disclose each element of the dependent claims. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of these claims.

III. New Claim

The Applicant presents new claim 31. This proposed new claim is supported by original claim 7 and paragraphs [0020]-[0024] of the Specification as filed. Claim 31 recites “a first repository to maintain a list of processes and tasks performed by the plurality of non-Java based server nodes...a second repository to maintain a list of processes and tasks performed by the plurality of Java based server nodes...and a third repository to maintain a list of assigned service identifications and their corresponding service names.” In the Interview held on February 19, 2009, the Examiner acknowledged that new claim 31 is not obvious based on the combination of Martin and Harris.

IV. Additional Claim Amendments

Additional amendments have been made to the claims 1-5, 7-13, 15-28, and 30 to improve clarity. The Applicants submit that these amendments are supported by the Specification and that no new subject matter has been added.

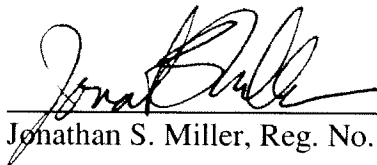
CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-31, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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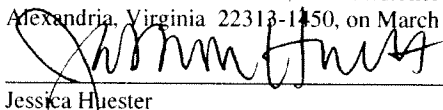
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3/12/09
Date